

**SUPREME COURT MINUTES
FRIDAY, SEPTEMBER 9, 2011
SAN FRANCISCO, CALIFORNIA**

S083446**PEOPLE v. WILSON
(BRANDON H.)**

Extension of time granted

Good cause appearing, and based upon counsel Susan L. Wolk's representation that she anticipates filing the appellant's opening brief by March 31, 2012, counsel's request for an extension of time in which to file that brief is granted to November 7, 2011. After that date, only three further extensions totaling about 150 additional days are contemplated.

S107900**PEOPLE v. WRIGHT, JR.,
(WILLIAM LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Alison Bernstein's representation that she anticipates filing the appellant's opening brief by February 2012, counsel's request for an extension of time in which to file that brief is granted to November 7, 2011. After that date, only two further extensions totaling about 90 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S112691**PEOPLE v. WESTERFIELD
(DAVID ALAN)**

Extension of time granted

Good cause appearing, and based upon counsel Mark D. Greenberg's representation that he anticipates filing the appellant's opening brief by the end of November 2011, counsel's request for an extension of time in which to file that brief is granted to October 28, 2011. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S120382**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 7, 2011.

S120583**PEOPLE v. CAGE (MICKY RAY)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Theodore M. Cropley's representation that he anticipates filing the respondent's brief by October 12, 2011, counsel's request for an extension of time in which to file that brief is granted to October 12, 2011. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S122123**PEOPLE v. RODRIGUEZ (ANGELINA)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General William H. Shin's representation that he anticipates filing the respondent's brief by January 5, 2012, counsel's request for an extension of time in which to file that brief is granted to November 7, 2011. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S126387**PEOPLE v. HAZLETT, JR., (LARRY KUSUTH)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Arnold A. Erickson's representation that he anticipates filing the appellant's opening brief by March 1, 2012, counsel's request for an extension of time in which to file that brief is granted to November 7, 2011. After that date, only two further extensions totaling about 120 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S127119**PEOPLE v. GIVENS (TODD)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 7, 2011.

S137730**PEOPLE v. POWELL (TROY LINCOLN)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman, Jr.'s representation that he

anticipates filing the appellant's opening brief by January 5, 2012, counsel's request for an extension of time in which to file that brief is granted to November 7, 2011. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S149039

**PEOPLE v. AGUAYO
(JOSEPH MORENO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 7, 2011.

S157242

**CAREY (DEWAYNE
MICHAEL) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jeannie R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 28, 2011, counsel's request for an extension of time in which to file that document is granted to September 28, 2011. After that date, no further extension is contemplated.

S176213

B209568 Second Appellate District, Div. 5

**PEOPLE v.
RUTTERSCHMIDT (OLGA)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply to supplemental brief is extended to September 26, 2011.

S185870

DORSETT (PHILLIP) ON H.C.

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to September 20, 2011.

S188238

B216917 Second Appellate District, Div. 7

**PEOPLE v. ELMORE
(CHARLES)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to September 26, 2011.

S192784

H036143 Sixth Appellate District

PEOPLE v. LARA (RICARDO ANTONIO)

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 13, 2011.

S194421**BONNHEIM ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM STEPHEN BONNHEIM, State Bar Number 68693, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. WILLIAM STEPHEN BONNHEIM is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. WILLIAM STEPHEN BONNHEIM must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 17, 2011.
3. At the expiration of the period of probation, if WILLIAM STEPHEN BONNHEIM has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM STEPHEN BONNHEIM must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

WILLIAM STEPHEN BONNHEIM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If WILLIAM STEPHEN BONNHEIM fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194426**MIRCH ON DISCIPLINE**

Recommended discipline imposed

The court orders that KEVIN JOHN MIRCH, State Bar Number 106973, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. KEVIN JOHN MIRCH is suspended from the practice of law for the first six months of probation;
2. KEVIN JOHN MIRCH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 16, 2011; and
3. At the expiration of the period of probation, if KEVIN JOHN MIRCH has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

KEVIN JOHN MIRCH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

KEVIN JOHN MIRCH must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2012 and 2013. If KEVIN JOHN MIRCH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194429**READ III ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOHN ROYALL READ III, State Bar Number 51388, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOHN ROYALL READ III must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194431**SANDISON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES DONALD SANDISON, State Bar Number 148812, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. JAMES DONALD SANDISON must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194434**SHIVELL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ELIZABETH LANGAN SHIVELL, State Bar Number 98471, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys. ELIZABETH LANGAN SHIVELL must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194437**SILBERMANN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that BARRY DAVID SILBERMANN, State Bar Number 69402, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. BARRY DAVID SILBERMANN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 20, 2011; and
2. At the expiration of the period of probation, if BARRY DAVID SILBERMANN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

BARRY DAVID SILBERMANN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each

of the years 2012, 2013, and 2014. If BARRY DAVID SILBERMANN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194439**WEIR, JR., ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BILL JAY WEIR, JR., State Bar Number 98824, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BILL JAY WEIR, JR., must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194447**DONRAD ON DISCIPLINE**

Recommended discipline imposed

The court orders that SEAN DONRAD, State Bar Number 242665, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. SEAN DONRAD is suspended from the practice of law for a minimum of 60 days, and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to Sharon Wichael in the amount of \$5,000 plus 10 percent interest per annum from March 1, 2009 (or reimburses the Client Security Fund to the extent of any payment from the fund to Sharon Wichael, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ii. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar;
 - iii. If SEAN DONRAD remains suspended for two years or more as a result of not satisfying the preceding requirements, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii)); and
 - iv. If SEAN DONRAD remains suspended for 90 days or more, he must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.
2. SEAN DONRAD must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

SEAN DONRAD must also take and pass the Multistate Professional Responsibility Examination

within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194450**GRAHAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT FRANCIS GRAHAM, State Bar Number 76589, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ROBERT FRANCIS GRAHAM is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ROBERT FRANCIS GRAHAM must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 13, 2011.
3. At the expiration of the period of probation, if ROBERT FRANCIS GRAHAM has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT FRANCIS GRAHAM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194452**GREENWALD ON
DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID GREENWALD, State Bar Number 129247, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DAVID GREENWALD is suspended from the practice of law for the first 60 days of

probation;

2. DAVID GREENWALD must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 17, 2011; and
3. At the expiration of the period of probation, if DAVID GREENWALD has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID GREENWALD must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194454**HOLLEY ON DISCIPLINE**

Recommended discipline imposed

The court orders that KAY del CARMEN HOLLEY, State Bar Number 87549, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. KAY del CARMEN HOLLEY must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 18, 2011; and
2. At the expiration of the period of probation, if KAY del CARMEN HOLLEY has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

KAY del CARMEN HOLLEY must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194455**KOPESKY ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM JOSEPH KOPESKY, State Bar Number 110745, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. WILLIAM JOSEPH KOPESKY is suspended from the practice of law for the first 60 days of probation;

2. WILLIAM JOSEPH KOPESKY must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 5, 2011; and
3. At the expiration of the period of probation, if WILLIAM JOSEPH KOPESKY has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If WILLIAM JOSEPH KOPESKY fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194456**LARKIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVE LARKIN, State Bar Number 112934, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. STEVE LARKIN is suspended from the practice of law for the first year of probation;
2. Steve Larkin must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 17, 2011; and
3. At the expiration of the period of probation, if STEVE LARKIN has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEVE LARKIN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

STEVE LARKIN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with membership fees for each of the years 2012 and 2013. If STEVE LARKIN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.